



smith & hopen, p.a.

Intellectual Property Law Patents Trademarks Copyrights

TFW

September 15, 2005

Commissioner for Patents
Mail Stop PG Pub
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant: John F. Baxter, Jr.

Serial No.: 10/711,241

Filed: September 3, 2004

For: Method of Identifying Media Content Contemporaneous with Broadcast

Our Reference No.: 1135.42

Art Unit: 2684

Examiner: Unassigned

Confirmation No.: 5240

Dear Sir:

Enclosed please find the following:

1. Request to Rescind Previous Non-publication Request with a Certificate of Mailing under 37 C.F.R. § 1.8 dated September 16, 2005; and
2. Self-addressed and postage pre-paid post card to serve as a receipt for item 1.

Very respectfully,

SMITH & HOPEN

By: Anton J. Hopen

anton.hopen@smithhopen.com

AJH/at
Encl.

CERTIFICATE OF MAILING

(37 C.F.R. § 1.8)

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patent, Mail Stop PG Pub, P.O. Box 1450, Alexandria, VA 22313-1450 on September 16, 2005.

Date: September 16, 2005

April Turley



PTO/SB/36 (07-05)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**RESCISSION OF PREVIOUS NONPUBLICATION
REQUEST**

(35 U.S.C. 122(b)(2)(B)(ii))

AND, IF APPLICABLE,**NOTICE OF FOREIGN FILING**

(35 U.S.C. 122(b)(2)(B)(iii))

Send completed form to:

Mail Stop PG Pub

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (571) 273-8300

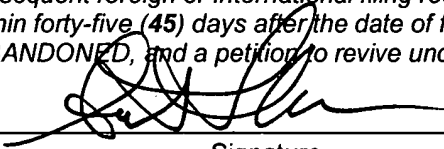
Application Number	10/711,241
Filing Date	09/03/2004
First Named Inventor	John F. Baxter, Jr.
Title	Method of Identifying Media...
Atty Docket Number	1135.42
Art Unit	2684
Examiner	Unassigned

A request that the above-identified application not be published under 35 U.S.C. 122(b) (nonpublication request) was included with the above-identified application on filing pursuant to 35 U.S.C. 122(b)(2)(B)(i).

I hereby **rescind** the previous nonpublication request.

If a notice of foreign or international filing is or will be required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c), I hereby provide such notice. This notice is being provided no later than forty-five (45) days after the date of such foreign or international filing.

If a notice of subsequent foreign or international filing required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c) was not filed within forty-five (45) days after the date of filing of the foreign or international application, the application is **ABANDONED**, and a petition to revive under 37 CFR 1.137(b) is required. See 37 CFR 1.137(f).

	09/16/2005
Signature	Date
Anton J. Hopen	41,849
Typed or printed name	Registration Number, if applicable
(727) 507-8558	
Telephone Number	

This request must be signed in compliance with 37 CFR 1.33(b).

If information or assistance is needed in completing this form, please contact the Pre-Grant Publication Division at (703)605-4283 or by e-mail at PGPub@USPTO.gov.

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop PG Pub, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	
Name (Print/Type)	April Turley
Date	09/16/2005

This collection of information is required by 37 CFR 1.213(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PG Pub, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Commissioner for Patents
Mail Stop PG Pub
P.O. Box 1450
Alexandria, VA 22313-1450